

**STATE OF MICHIGAN
MICHIGAN ADMINISTRATIVE HEARING SYSTEM
ADMINISTRATIVE HEARINGS FOR THE
DEPARTMENT OF HUMAN SERVICES**

IN THE MATTER OF:

[REDACTED]

Reg. No.: 201326604
Issue No.: 2000
Case No.: [REDACTED]
Hearing Date: May 22, 2013
County: Wayne (41)

ADMINISTRATIVE LAW JUDGE: Alice C. Elkin

SETTLEMENT ORDER

This matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9 and MCL 400.37 following Claimant's request for a hearing. After due notice, a telephone hearing was held on May 22, 2013, from Detroit, Michigan. Participants on behalf of Claimant included Claimant and [REDACTED], hearing representative for [REDACTED], Claimant's Authorized Hearing Representative. Participants on behalf of the Department of Human Services (Department) included [REDACTED], Medical Contact Worker.

ISSUE

Whether the Department properly denied Claimant's October 29, 2012, Medical Assistance (MA) application with retroactive coverage to September 1, 2012.

FINDINGS OF FACT

The Administrative Law Judge, based upon the competent, material, and substantial evidence on the whole record, finds as material fact:

1. On October 29, 2012, Claimant submitted an application requesting MA coverage, with retroactive coverage to September 1, 2012, for herself, her husband, and her two minor children.
2. On December 3, 2012, the Department notified Claimant that her MA application, with retroactive coverage, was denied because she had failed to provide requested information.
3. On January 25, 2013, Claimant's AHR filed a request for hearing concerning the Department's action.

CONCLUSIONS OF LAW

Department policies are found in the Department of Human Services Bridges Administrative Manual (BAM), Bridges Eligibility Manual (BEM), Reference Tables Manual (RFT), and State Emergency Relief Manual (ERM).

The Medical Assistance (MA) program is established by the Title XIX of the Social Security Act and is implemented by Title 42 of the Code of Federal Regulations (CFR). The Department of Human Services (formerly known as the Family Independence Agency) administers the MA program pursuant to MCL 400.10, *et seq.*, and MCL 400.105.

In this case, Claimant's AHR requested a hearing to dispute the Department's denial of Claimant's MA application. At the hearing, the Department testified that Claimant's two minor children had, prior to the application, ongoing MA coverage under the Other Healthy Kids program. The Department further testified that, although Claimant's MA application for her and her husband was denied because she had failed to provide requested verifications, a review of the file and circumstances showed that Claimant had timely responded to the verification checklist.

The law provides that disposition may be made of a contested case by stipulation or agreed settlement. MCL 24.278(2). Soon after commencement of the hearing, the parties testified that they had reached a settlement concerning the disputed action. Consequently, the Department agreed to do the following: (1) reregister the October 29, 2012 MA application with retroactive coverage to September 1, 2012; (2) begin reprocessing the application in accordance with Department policy; (3) provide Claimant and her husband with the MA coverage they are eligible to receive from September 1, 2012, ongoing; and (4) notify Claimant in writing of its decision in accordance with Department policy.

As a result of this settlement, Claimant's AHR no longer wished to proceed with the hearing. As such, it is unnecessary for this Administrative Law Judge to render a decision regarding the facts and issues in this case.

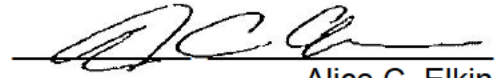
DECISION AND ORDER

The Administrative Law Judge concludes that the Department and Claimant's AHR have come to a settlement regarding Claimant's request for a hearing.

THE DEPARTMENT IS ORDERED TO DO THE FOLLOWING:

1. Reregister the October 29, 2012, MA application with retroactive coverage to September 1, 2012;
2. Begin reprocessing the application in accordance with Department policy;

3. Provide Claimant and her husband with the MA coverage they are eligible to receive from September 1, 2012, ongoing; and
4. Notify Claimant in writing of its decision in accordance with Department policy.


Alice C. Elkin
Administrative Law Judge
for Maura Corrigan, Director
Department of Human Services

Date Signed: 5/31/2013

Date Mailed: 5/31/2013

NOTICE: Michigan Administrative Hearing System (MAHS) may order a rehearing or reconsideration on either its own motion or at the request of a party within 30 days of the mailing date of this Decision and Order. MAHS will not order a rehearing or reconsideration on the Department's motion where the final decision cannot be implemented within 90 days of the filing of the original request. (60 days for FAP cases)

The Claimant may appeal the Decision and Order to Circuit Court within 30 days of the receipt of the Decision and Order or, if a timely request for rehearing was made, within 30 days of the receipt date of the rehearing decision.

ACE/hw

cc:

